(34)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) No.1312 of 2007

PETITIONER J.P.Mishra, aged 46 years, s/o Late D.P.Mishra, posted as Co-operative Inspector, at o/o Joint Director, Cooperative Societies, Raipur, R/o G-4, Sector-2, Awanti Vihar Colony, Raipur, District Raipur(CG)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through The Secretary, Department of Cooperative, DKS, Bhawan Raipur
2. The Registrar, Cooperative Societies, Chhattisgarh, H.Q.Telibandha, Near Old RTO Raipur(CG)
3. Joint Registrar, Cooperative Societies, Raipur(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Presence :

Shri R.K. Kesharwani, counsel for the petitioner.

Shri Satish Gupta, Dy. Government Advocate for the State on advance copy.

ORAL ORDER
(20.11.2007)

SUNIL KUMAR SINHA, J.

Heard.

Learned counsel for the petitioner argues that the petitioner is aggrieved with the order dated 5.5.2006, by which, only 90 days medical leave has been sanctioned to the petitioner and for the rest period, it has been ordered that it shall be treated as Leave Without Pay. He argues that there were other leaves in the account of the petitioner and before treating the rest period as L.W.P., the existing leave should have been adjusted by the concerned authority.

I have heard learned counsel for the petitioner as also the State.

Having heard learned counsel for the parties, I am of the opinion that presently this petition can be disposed of with a direction to the petitioner to file a representation before the concerned authority and the concerned authority is also directed to dispose of the same in accordance with law.

Accordingly, this petition is disposed of with a direction to the petitioner that if so advised, he may file a detailed representation along with the copy of this order and a copy of writ petition before the concerned authority within a period of 3 weeks from today and if such a representation is filed, the concerned authority shall dispose of the leave case of the petitioner in accordance with law as early as possible preferably within a period of 3 months from the date of filing of the representation.

With the above observations/directions, this petition stands disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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